

REMARKS

In view of the foregoing amendments and following remarks, applicant respectfully requests reconsideration of the rejections.

Status of the Claims

Claims 1–54 were pending. Claims 1–5, 7–11, 13–17, 19–24, and 43–54 stand rejected under 35 U.S.C. 102(e) as being unpatentable over Oberman (2003/0026267). Claims 6, 12, 18, and 25–42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Oberman in view of Nagami (U.S. 6,167,051). Applicant amends claims 1, 7, 13, 19, 25, 31, 37, 43–54. Applicant adds claim 55. Claims 1–55 remain pending.

Rejections Under 35 U.S.C. § 102(e) and § 103(a)

Independent claim 1, as amended, recites in part “wherein the number of virtual channels supported by said port is not equal to the number of virtual channels supported by said external device.” Oberman at page 15 ¶ 0171 states:

Both switches have to agree on the same number of virtual channels that they want to support on the physical link. Note that the number of virtual channels supported in each direction on a switch may be different, but the two ends of the physical link (egress on one end and ingress on the other end) **must support the same number of virtual channels.**

Hence, Oberman does not teach or suggest a number of virtual channels supported by a port not being equal to the number of virtual channels supported by the external device because Oberman requires connected switches to support the same number of virtual channels. Also, Nagami does not satisfy the deficiency of Oberman. For at least this reason claim 1 and dependent claims 2–6 are allowable over the cited art. Independent claims 7, 13, 19, 25, 31, 37, 43, and 49, as amended, recite similar limitations. Thus, for at least the reason provided above, claims 7, 13, 19, 25, 31, 37,

43, 49, and dependent claims 8–12, 14–18, 20–24, 26–30, 32–36, 38–42, 44–48, and 49–55 are allowable over the cited art.

Conclusion

In the course of the foregoing discussions, applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

It is believed that no extensions of time or fees are required other than the fee submitted under 37 CFR 1.16(i) for the addition of a new dependent claim. However, in the event that additional extensions of time are necessary to allow consideration of this document, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Conley Rose's Deposit Account No. 03-2769/2120-02400 for such fees.

Respectfully submitted,

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